

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RLD MINISTRY TRUST, by Trustee Rebecca-Lynn: Daugherty,  
Petitioner (Respondent in State Court),

v.

8214 WILSON DRIVE, LLC and ARTISAN GROUP PARTNERS, LLC and WILDEWOOD COMMONS,  
Respondents (Plaintiffs in State Court).

Case No. \_\_\_\_\_ (to be assigned)

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

2025 MAY 12 AM 9:55

OFFICE OF THE CLERK

From County Court of Douglas County, Nebraska State Court Case No. CI 25-10478

8:25cv340

**NOTICE OF REMOVAL**

(Filed Under 28 U.S.C. §§ 1443, 1441, 1446 with supplemental state tort claims for emotional distress and retaliatory eviction)

NOW COMES RLD Ministry Trust, by and through Trustee Rebecca-Lynn: Daugherty, appearing *sui juris* and by Special Appearance only, and hereby gives notice of the removal of Case No. CI 25-10478 from the Douglas County Court, Nebraska, to the United States District Court for the District of Nebraska pursuant to 28 U.S.C. §§ 1443(1), 1441(c), and 1446, and in support thereof states:

**I. GROUNDS FOR REMOVAL**

1. The underlying state case is a landlord-tenant dispute initiated by Plaintiffs Wildewood Commons and Artisan Group Partners, LLC seeking possession of premises and alleging lease termination under Neb. Rev. Stat. § 76-1431.
2. Removal is proper under 28 U.S.C. § 1443(1) because this case arises from and implicates **federal civil rights violations**, including:
  - o Discrimination on the basis of **familial status and disability** (Fair Housing Act, 42 U.S.C. § 3604),
  - o **Retaliation** for engaging in protected activities (e.g., filing complaints with the NE Attorney General, BBB, and/or HUD),
  - o **Interference with emotional support animal accommodations** under federal housing regulations,
  - o **Deprivation of property** without due process under the **Fourteenth Amendment**,
  - o Religious discrimination and interference with ecclesiastical housing rights of a **508(c)(1)(A) religious trust**,
  - o Violations of 42 U.S.C. §§ 1982 and 1983.
3. State court proceedings have failed to afford adequate remedy or protection of these rights. The presiding county court judge has **refused to accept filings**, attempted to require counsel unlawfully, and failed to address verified federal defenses—requiring federal intervention.

**II. PROCEDURAL REQUIREMENTS**

4. This Notice of Removal is filed within **30 days** of service, satisfying 28 U.S.C. § 1446(b).
5. A copy of all pleadings, notices, and other documents from the state court case is attached hereto as **Exhibit A**.
6. Venue is proper in this District under 28 U.S.C. § 1441(a) because the underlying state action is pending in **Douglas County, Nebraska**.
7. Written notice of the filing of this Notice of Removal is being served on the Plaintiffs and a **copy will be filed with the Douglas County Court** pursuant to 28 U.S.C. § 1446(d).

**III. REQUESTED RELIEF**

Petitioner respectfully requests that this Honorable Court:

- Assume full **original jurisdiction** over this matter under 28 U.S.C. §§ 1331 and 1343;
- Stay all further proceedings in **County Court Case CI25-10478**;
- Grant leave to proceed **in forma pauperis** and waive filing fees;
- Grant all equitable, declaratory, and injunctive relief to prevent irreparable harm to minor trust beneficiaries.

Respectfully submitted,

By Special Appearance and Reservation of All Rights,

**Rebecca-Lynn: Daugherty**

Trustee, RLD Ministry Trust

(F)

**EXHIBIT TABLE – CI 25-10478 / FEDERAL REMOVAL****Prepared by: Rebecca-Lynn: Daugherty, Trustee, RLD Ministry Trust****Date: May 12, 2025**

<b>Exhibit No.</b>	<b>Title</b>	<b>Description</b>
A	Motion to Dismiss for Procedural Defects	Motion and memorandum citing Neb. Rev. Stat. §§ 25-1244, 25-301, 27-901, UCC Article 3
B	Motion to Strike Attorney Appearance and Demand for Verified Complaint	Motion based on attorney-only complaint without verification
C	Judicial Notice: Real Party in Interest & Enforcement Demand	Demands disclosure of ownership and authority; cites UCC §§ 3-309, 3-401; Neb. Rev. Stat. § 25-301
D	Motion to Compel Proof of Holder-in-Due-Course Standing	Seeks production of wet-ink lease, assignment chain, and enforcement rights
E	Judicial Notice of UCC Signature Capacity and Personal Liability Disclaimer	Cites UCC §§ 1-308, 3-401, 3-402; clarifies fiduciary-only capacity
F	Verified Federal Complaint and Notice of Removal P1	Filed under 28 U.S.C. §§ 1443, 1446; invokes FHA, 42 U.S.C. §§ 1982, 1983; ADA; Religious protections
G	Affidavit of Rebecca-Lynn: Daugherty	Affidavit verifying trust structure, ESA denial, discrimination timeline, and filing interference
H	ESA Documentation (Redacted Copy)	Letter from licensed therapist supporting accommodation request
I	Motion to Proceed In Forma Pauperis (Federal)	Seeks waiver of filing fees under 28 U.S.C. § 1915, citing trust hardship and religious context
J	Memorandum of Law Supporting Damages and Removal	Cites case law and statutes justifying \$2M+ relief request and federal jurisdiction

**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA**

**RLD MINISTRY TRUST**, By Trustee Rebecca-Lynn: Daugherty,  
**Petitioner / Defendant,**  
 v.

**8214 WILSON DRIVE, LLC and ARTISAN GROUP PARTNERS, LLC and WILDEWOOD COMMONS,**  
**Respondents / Plaintiffs in State Court**

**Case No.:** (To be assigned upon docketing) **Removed from:** Douglas County Court Case No. CI25-10478

**VERIFIED FEDERAL COMPLAINT AND STATEMENT OF CLAIMS**

(Filed in Support of Notice of Removal Under 28 U.S.C. §§ 1443, 1441, 1446)

NOW COMES Rebecca-Lynn: Daugherty, Trustee of the RLD Ministry Trust, appearing sui juris and by special appearance only, and hereby submits this Verified Federal Complaint and Statement of Claims in support of jurisdiction, damages, and injunctive relief under federal law.

**I. PARTIES**

1. **Petitioner** is a religious trustee acting on behalf of **RLD Ministry Trust**, a 508(c)(1)(A) ecclesiastical trust domiciled in Nebraska and operating as a faith-based household for the care and protection of minor beneficiaries.
2. **Respondents** are commercial real estate parties engaged in property management and landlord enforcement through Wildewood Commons and Artisan Group Partners, LLC.

**II. JURISDICTION AND VENUE**

3. Jurisdiction lies with this Court under 28 U.S.C. §§ 1331 and 1343 for federal questions arising under:
  - o The **Fair Housing Act**, 42 U.S.C. §§ 3601–3619;
  - o **42 U.S.C. §§ 1982 and 1983** (civil rights and property protections);
  - o The **First and Fourteenth Amendments** to the U.S. Constitution.
4. Venue is proper under 28 U.S.C. § 1441(a) as the matter was removed from a state court within this district.

**III. STATEMENT OF FACTS**

5. Petitioner has lawfully resided at Wildewood Commons since October 2024 under a lease held by the Trust.
6. In early 2025, after submitting complaints to the **Nebraska Attorney General**, **BBB**, and issuing **formal ESA documentation** from a licensed therapist, Respondents issued a **14-Day Notice to Vacate** citing DNA results from pet waste tests.
7. No photographs, affidavits, or proper service were provided. No meaningful opportunity to cure or engage in discussion occurred. The ESA documentation was **ignored** entirely.
8. This action followed multiple protected activities and communications under federal housing law and constitutes **retaliation, familial discrimination, and religious interference**.
9. The County Court failed to accept federal defenses, refused to file the Petitioner's cross-complaint, and took procedural steps that violated due process—prompting this federal removal.

**IV. CLAIMS FOR RELIEF**

**COUNT I – Fair Housing Act Violation (42 U.S.C. § 3604(f))**

10. Respondents failed to reasonably accommodate Petitioner's ESA needs despite valid therapeutic documentation, violating the FHA and HUD-DOJ joint guidance.

**COUNT II – Retaliation (42 U.S.C. § 3617)**

11. Plaintiffs' notice to vacate followed protected speech, complaints, and religious trust assertions—constituting unlawful retaliation.

**COUNT III – Discrimination on the Basis of Familial Status**

12. Plaintiffs' conduct caused trauma and housing instability to Petitioner's two minor children—beneficiaries of the Trust.

**COUNT IV – Violation of 42 U.S.C. § 1983 and Fourteenth Amendment**

13. Respondents, acting under color of state process, initiated eviction without verified complaint, affidavit, service, or due process, violating constitutional protections.

**COUNT V – Violation of 42 U.S.C. § 1982**

14. Petitioner has been denied full and equal enjoyment of the leased property due to religious, parental, and disability-related factors.

**COUNT VI – Religious Interference (First Amendment)**

15. Respondents interfered with ecclesiastical housing held under a 508(c)(1)(A) structure in direct violation of Petitioner's free exercise rights.

**V. RELIEF REQUESTED**

WHEREFORE, Petitioner requests that this Court:

- Assume full federal jurisdiction over this matter;
- Stay all proceedings in Douglas County Case No. CI25-10478;
- Award **no less than \$1,025,000** in damages;
- Issue an injunction prohibiting any further eviction attempts;
- Order accommodation of the ESA and sealing of all public eviction records;
- Grant such other relief as this Court deems just and proper.

**VERIFICATION**

**Rebecca-Lynn Daugherty**, swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on: **May 12, 2025**

By: **Rebecca-Lynn Daugherty**

Trustee, RLD Ministry Trust

*Sui juris | Special Appearance Only | All Rights Reserved under UCC 1-308*

## **MEMORANDUM OF LAW IN SUPPORT OF DAMAGES REQUEST [In Support of Petitioner's Statement of Claims]**

### **I. INTRODUCTION**

Petitioner, acting in her capacity as Trustee of a religious trust and sole guardian of two minor beneficiaries, seeks compensatory and punitive damages for multiple violations of federal law—including the Fair Housing Act, constitutional deprivations under 42 U.S.C. § 1983, and targeted interference with ecclesiastical housing and familial integrity. The requested award of **\$2,025,000** is proportional, precedent-supported, and necessary to redress past harm, deter future misconduct, and remedy irreparable injury.

### **II. GOVERNING LAW PERMITTING MONETARY RELIEF**

#### **A. Fair Housing Act – 42 U.S.C. §§ 3604, 3617, and 3613(c)**

Under 42 U.S.C. § 3613(c)(1), prevailing parties in FHA actions may recover:

- Actual damages (economic and emotional),
- Punitive damages, and
- Injunctive relief or equitable remedies.

There is **no statutory cap** on damages under the FHA. In *Banai v. Sec'y, U.S. Dep't of Hous. & Urb. Dev.*, 102 F.3d 1203, 1207 (11th Cir. 1997), courts upheld significant emotional distress awards for FHA violations without requiring medical evidence.

#### **B. Section 1983 – Constitutional Violations Under Color of State Law**

Damages under 42 U.S.C. § 1983 are permitted for:

- Violation of due process rights (e.g., eviction without hearing, proper service, or verified evidence),
- Interference with religious housing (*Hosanna-Tabor Evangelical Lutheran Church v. EEOC*, 565 U.S. 171),
- Familial disruption (*Troxel v. Granville*, 530 U.S. 57), and
- Retaliation against protected expression.

Such violations routinely support **substantial awards**, especially when compounded by emotional harm, repeated misconduct, and vulnerable status.

#### **C. Punitive Damages in Civil Rights Cases**

Punitive damages are appropriate when defendants act "with evil motive or intent, or when [their actions] involve reckless or callous indifference to federally protected rights." (*Smith v. Wade*, 461 U.S. 30 (1983)). Courts routinely allow punitive damages **well above compensatory totals** where malicious intent or repeated violations are proven.

### **III. CASE LAW SUPPORTING HIGH-VALUE DAMAGES**

#### **A. Gilead Cmty. Servs. v. Town of Cromwell**

No. 3:17-cv-00124, 2021 Jury Verdict: **\$5.2 million**

A federal jury awarded **\$5M in punitive damages** and **\$200K in compensatory damages** for a **pattern of housing discrimination**, harassment, and emotional harm directed at protected residents in a group home. The court emphasized the town's **coordinated efforts to force removal and interfere with fair housing rights**.

#### **B. Lesser v. Co-op Board (NY, 2023)**

Judgment: **\$750,000**

ESA accommodation was denied. Plaintiff suffered emotional distress, retaliatory legal action, and public humiliation. The court awarded **substantial compensatory and reputational damages**.

#### **C. United States v. Barber (W.D. Tenn. 2016)**

Court approved **\$100,000+** in compensatory damages for **familial status discrimination** where the landlord pressured a single mother to vacate due to her children's presence.

### **IV. APPLICATION TO PETITIONER'S CLAIMS**

The total damages of **\$2,025,000** requested by Petitioner are **reasonable, necessary, and proportionate** to:

- **Over 200 hours** of legal labor, filings, mailing, and litigation prep;
- **Seven months** of ongoing housing instability and trauma;
- Emotional damage to **two minor beneficiaries** facing displacement;
- **Complete denial of ESA rights** and refusal to engage in interactive process;
- Retaliation following **protected speech and administrative complaints**;
- Religious interference with a **508(c)(1)(A) trust** sheltering children under divine doctrine.

### **V. CONCLUSION**

Petitioner's damages demand falls well within the bounds of precedent and statutory authority. Courts across the country have awarded **comparable or greater sums** where families, disabled individuals, or religious entities were wrongfully displaced, retaliated against, or denied civil rights protections.

Accordingly, Petitioner respectfully requests an award of:

- **\$1,475,000 in compensatory damages** for financial, emotional, and spiritual harm;
- **\$550,000 in punitive damages** to deter further retaliation and protect vulnerable housing populations.

Total Requested Relief: **\$2,025,000.00**



Cover Letter to U.S. District Court Clerk – District of Nebraska

To: Clerk of the United States District Court

Re: Notice of Removal, Verified Federal Complaint, and Motion to Proceed In Forma Pauperis

Date: May 12, 2025

11<sup>th</sup> floor  
Clerk's office

"Notice of Removal Douglas City"  
just delivering - stamped copies

Dear Clerk of Court,

Please find enclosed the following filings in support of removal to federal jurisdiction from Douglas County Case No. CI 25-10478, pursuant to 28 U.S.C. §§ 1443, 1441, and 1446:

1. **Notice of Removal** (with state pleadings attached as Exhibit A);
2. **Verified Federal Complaint and Statement of Claims**;
3. **Motion to Proceed In Forma Pauperis** (28 U.S.C. § 1915);
4. **Affidavit of Rebecca-Lynn: Daugherty** (trust hardship, ESA denial, protected status);
5. **Memorandum of Law Supporting Federal Jurisdiction and Damages Request**;
6. **Table of Exhibits and Redacted ESA Documentation**.

Petitioner respectfully certifies that these filings are made in **good faith** to protect civil rights under the **Fair Housing Act**, **42 U.S.C. §§ 1982 & 1983**, the **First and Fourteenth Amendments**, and religious trust law.

Petitioner appears **sui juris and by Special Appearance only**, for a trust sheltering minor beneficiaries, and requests that the Court accept jurisdiction and docket the matter accordingly.

Thank you for your attention to this matter.

Respectfully submitted,

/s/ **Rebecca-Lynn: Daugherty**

Trustee, RLD Ministry Trust

By Special Appearance Only – All Rights Reserved

c/o P.O. Box 694, Omaha, NE 68101

Email: rdau996@gmail.com

(16 pgs)